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**FACSIMILE TRANSMITTAL SHEET**

Deliver to: Examiner Aimee J. Li, Art Unit 2183  
Firm Name: U.S. Patent & Trademark Office  
Fax Number: 703-872-9306  
From: John P. Ward Operator: Anne Collette  
Date: April 13, 2005  
App. No.: 10/039,588  
No. of pages: 9 (including cover sheet)  
Client/Matter: 42P12010 Docket Date: 4/18/2005 Atty: APS

Dear Examiner:

Please find the following document(s) attached:

- 1) Transmittal Form (1 page)
- 2) Response to Notice of Non-Compliant Amendment (7 pages)

Thank you.

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By: <u>Anne Collette</u> Anne Collette	Date: <u>April 13, 2005</u>

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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/039,588

Filing Date

December 31, 2001

First Named Inventor

David J. Sager

Art Unit

2183

Examiner Name

Aimee J. Li

Attorney Docket Number

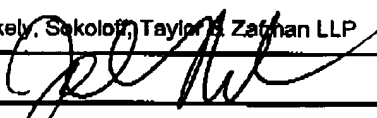
42P12010

**ENCLOSURES**

(Check all that apply)

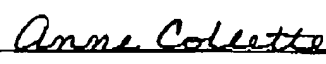
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Response to Notice of Non-Compliant Amendment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Blakely, Sokoloff, Taylor & Zafman LLP		
Signature			
Printed name	John Patrick Ward		
Date	April 13, 2005	Reg. No.	40,216

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Anne Collette	Date	April 13, 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/039,588 Confirmation No. 2211  
Inventor : David J. Sager  
Filed : December 31, 2001  
TC/A.U. : 2183  
Examiner : Li, Aimee  
  
Docket No. : 42P12010

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Examiner:

In response to the Notice of Non-Compliant Amendment mailed on March 18, 2005, a corrected "Amendments to the Claims" section is attached hereto.

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By: <u>Anne Collette</u> Anne Collette	Date: <u>April 13, 2005</u>